IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 2ND APRIL, 2007 / 12TH CHAITHRA, 1929

WP(C).No. 739 of 2007(K)

PETITIONER:

M.M.VALSAN, S/O.MADHAVAN, AGED 56 YEARS
MALIYAKKAL HOUSE, NEAR K,S,R,T,C, BUS STATION,
PERUMBVOOR VIA, KUNNATHUNADU TALUK, PERUMBAVOOR.

BY ADV. SRI.T.V.GEORGE
SMT.LINDA GEORGE

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, LABOUR AND REHABILITATION
(S)DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD
OFFICE, ERNAKULAM.

BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD
BY GOVT. PELADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD

ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE

FOLLOWING:

APPENDIX (WP(C) NO.739 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of Govt.Order dtd.15.12.95.

Ext.P2: Copy of final assessment order issued by R2.

Ext.P3: Copy of order dated 20.10.2006.

Ext.P4: Copy of order dated 21.11.2006 issued by R1.

Ext.P5: Copy of appeal memorandum preferred by the petitioner before R1.

Ext.P6: Copy of the forwarding letter dtd.6.12.2006 issued by the petitioner to R1.

Ext.P7: Copy of postal receipt.

Ext.P8: Copy of demand notice dtd.13.12.2006 issued by R2.

-True Copy-

P.A.to Judge.

S.SIRI JAGAN, J.

W.P(C) NO. 739 OF 2007 K

Dated this the 2nd day of April, 2007

J U D G M E N T

The petitioner has filed Ext.P5 appeal before the first respondent against the final determination order passed by the second respondent. The grievance of the petitioner is that Ext.P8 demand notice has been issued during the pendency of Ext.P5 appeal.

2. Heard the learned counsel for the petitioner, the learned Government Pleader and the learned counsel for the second respondent.

3. I feel that it is only appropriate for the first respondent to dispose of Ext.P5 statutory appeal, if the same has been received and is pending, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of this judgment. Recovery of the disputed amount shall be kept in abeyance till the disposal of Ext.P5 appeal.

The writ petition is disposed of as above.

S.SIRI JAGAN,
Judge

Mbs/